



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,824	10/10/2005	Ulrich Bardolatzy	P05,0144	3940
26574	7590	05/31/2006	EXAMINER	
SCHIFF HARDIN, LLP PATENT DEPARTMENT 6600 SEARS TOWER CHICAGO, IL 60606-6473			LABOMBARD, RUTH NAOMI	
			ART UNIT	PAPER NUMBER
			2852	

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/531,824

Applicant(s)

BARDOLATZY ET AL.

Examiner

Ruth N. LaBombard

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 35-68 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 44-68 is/are allowed.
- 6) ☒ Claim(s) 35-38 and 40-42 is/are rejected.
- 7) ☒ Claim(s) 39 and 43 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 April 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/18/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "22" has been used to designate both a portion of the user interface and a horizontal offset slide bar (figure 1). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended.
2. The drawings are objected to because reference character 100 (page 12, line 29) does not refer to a register card in figure 3. Furthermore, the drawings are objected to because the quality of the submitted images is poor and prevents proper understanding of the entire scope of claimed invention. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 28 (page 7, lines 14 and 16), 34 (page 7, line 29) and 166 (page 14, line 15). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended.
4. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

5. The disclosure is objected to because of the following informalities:
  - a. "PNV marker" (pages 7+) lacks definition.
  - b. Reference to future inventions as disclosed in the following two quotations is improper; "It will nevertheless be understood that no limitation of the scope of the invention is thereby intended, such alterations and further modifications in the illustrated device, and/or method, and such further applications of the principles of the invention as illustrated therein being contemplated as would normally occur now or in the future to one skilled in the art to which the invention relates (page 3, lines 27-32)" and "It is noted that only preferred exemplary embodiments

are shown and described, and all variations and modifications that presently and in the future lie within the scope of protection of the invention should be protected (page 15, lines 3-6)."

Appropriate correction is required.

6. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

***Claim Objections***

7. Claim 39 is objected to because of the following informalities: Claim 39 utilizes a non-alternative grammar format while claim 38, from which claim 39 depends, utilizes an alternative grammar format. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 35-38 and 40-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilson et al. (US 5,467,170). Wilson et al. discloses an "operating unit (1) for at least one electrophotographic printing or copying system, comprising: a display unit (OCP) on which a graphical user interface (JSUD) is displayed that comprises a graphical representation of at least one setting value of a parameter of a printing unit of the printing or copying system (figure 3 discloses a graphical representation of lightness

and darkness of a copy); and at least the setting value is input with aid of the user interface (B1-B8)."

10. With respect to claim 36, Wilson et al. discloses "an amount of the setting value can be input and output." Using the input arrows B4 a user can increase/decrease, hence input/output, the lightness/darkness of a copy.

11. With respect to claim 37, Wilson et al. discloses a setting value for brightness of a copy (figure 3).

12. With respect to claim 38, Wilson et al. discloses the setting value can be input/output with the aid of the displayed figures; an up and down arrow B4.

13. With respect to claim 40, Wilson et al. discloses "the setting value is shown as a bar (lighten/darken setting, figure 3) or symbol graphic, the setting value can be changed via a figure input or via graphical function data, and the bar or symbol graphic is changed dependent on an input value." When the arrows B4 are pushed, the lightness/darkness slider (centered in the graph of figure 3) moves corresponding to whether the up or down arrow is pressed, as well as how many times each is pressed. There is a value associated with every marker on the lightness/darkness graph of figure 3 and therefore by pressing the arrows a value is inputted.

14. With respect to claim 41, Wilson et al. discloses a "graphical user interface (JSUD) for operation of an electrophotographic printing or copying system, comprising: a graphical representation of at least one setting value of a parameter of a printing unit of the printing or copying system (figure 3 discloses a graphical representation of

lightness and darkness of a copy); and at least an amount of the setting value being input with aid of the user interface (B1-B8)."

15. With respect to claim 42, Wilson et al. discloses a "method for operation of at least one electrophotographic printing or coping system, comprising the steps of: displaying at least one setting value of a parameter of a printing unit of the printing or copying system (figure 3 discloses a graphical representation of lightness and darkness of a copy) via a graphical user interface (JSUD) with a graphical representation; and inputting at least the setting value via the user interface." See figure 3.

***Allowable Subject Matter***

16. Claims 39 and 43 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

17. The prior art does not disclose or suggest the claimed "setting value output with aid of a circle diagram" in combination with the remaining claim limitations as set forth in claim 39.

18. The prior art does not disclose or suggest the claimed "repeatedly-used setting values serving as scale values for partitioning of a scale of a graphical slide control or of a circle diagram" in combination with the remaining claim limitations as set forth in claim 43.

19. Claims 44-68 are allowed.

20. The prior art does not disclose or suggest the claimed "graphical user interface comprising a graphical representation of an amount of the same setting value of a

second printing unit of the printing or copying system" in combination with the remaining claim limitations as set forth in claims 44-65.

21. The prior art does not disclose or suggest the claimed "a graphical representation of the same setting value of a second printing unit of the printing or copying system" in combination with the remaining claim limitations as set forth in claim 66.

22. The prior art does not disclose or suggest the claimed "displaying a graphical representation of the same setting value of a second printing unit of the printing or copying system with aid of the graphical user interface" in combination with the remaining claim limitations as set forth in claims 67 and 68.

### ***Conclusion***

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Nomura et al. (US 6,308,023) discloses an image apparatus having a multiple number of different functional modes and separate displays for the parameters of more than one image apparatus.
- b. Arimoto et al. (US 6,329,979) discloses an image processing system with copy density being controlled by a graphical slide control.
- c. Hardikar et al. (US 6,775,819) discloses a pie chart for monitoring data analysis parameters of a printer.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth N. LaBombard whose telephone number is (571)



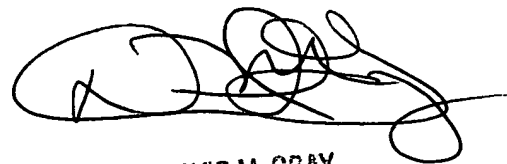
Art Unit: 2852

272-6430. The examiner can normally be reached on Monday - Friday, 7:30am - 4:00pm EST.

25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Gray can be reached on (571) 272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RNL  
5/26/06

A handwritten signature in black ink, appearing to read 'DAVID M. GRAY', with a large, stylized flourish at the end.

DAVID M. GRAY  
PRIMARY EXAMINER